

FIRST REGULAR SESSION

SENATE JOINT RESOLUTION NO. 7

98TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR RICHARD.

Pre-filed January 6, 2015, and ordered printed.

ADRIANE D. CROUSE, Secretary.

1150S.02I

JOINT RESOLUTION

Submitting to the qualified voters of Missouri, an amendment to article I of the Constitution of Missouri, adopting one new section relating to punitive damages.

Be it resolved by the Senate, the House of Representatives concurring therein:

That at the next general election to be held in the state of Missouri, on
2 Tuesday next following the first Monday in November, 2016, or at a special
3 election to be called by the governor for that purpose, there is hereby submitted
4 to the qualified voters of this state, for adoption or rejection, the following
5 amendment to article I of the Constitution of the state of Missouri:

Section A. Article I, Constitution of Missouri, is amended by adding
2 thereto one new section, to be known as section 22(c), to read as follows:

**Section 22(c). That the right to the determination of punitive
2 damages by a jury as heretofore enjoyed shall remain inviolate;
3 provided that no award of punitive damages shall exceed the greater
4 of five hundred thousand dollars, or five times the net amount of the
5 judgment awarded to the plaintiff against the defendant. Such
6 limitations may be reduced by law, shall apply in both judge and jury-
7 tried cases, and shall not apply if the defendant pleads guilty to or is
8 convicted of a felony arising out of the acts or omissions pled by the
9 plaintiff.**

Section B. Pursuant to section 116.155, RSMo, and other applicable
2 constitutional provisions and laws of this state authorizing the general assembly
3 to adopt ballot language for the submission of a joint resolution to the voters of
4 this state, the official summary statement of the amendment proposed in section
5 A shall be as follows:

6 "Shall the Missouri Constitution be amended to expressly state

7 citizens' constitutional right to punitive damages determined by a
8 jury, while in most judge and jury-tried cases limiting amounts
9 awarded to the greater of five hundred thousand dollars or five
10 times the net judgment, or such lower limits provided by law?"

Section C. Pursuant to section 116.155, RSMo, and other applicable
2 constitutional provisions and the laws of this state authorizing the general
3 assembly to adopt a fiscal note summary for the submission of a joint resolution
4 to the voters of this state, the official fiscal note summary of the amendment
5 proposed by section A shall be as follows:

6 "This change is expected to have no fiscal impact."

Unofficial ✓

Bill

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